

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

VEIN & WELLNESS GROUP, LLC,

Plaintiff,

v.

XAVIER BECERRA, in his official capacity
as Secretary of the United States Department
of Health and Human Services,

Defendant.

Case No. 1:22-cv-00397-JMC

**DECLARATION OF JAMES C. PISTORINO, ESQ. IN SUPPORT OF CROSS MOTION
FOR SUMMARY JUDGMENT AND OPPOSITION TO DEFENDANT'S MOTION FOR
SUMMARY JUDGMENT**

I, James C. Pistorino, hereby declare under penalty of perjury the following:

1. I am over the age of eighteen and I have personal knowledge of the facts and information set forth below. If called upon to do so, I could testify competently to these matters.
2. I am an attorney at the Parrish Law Offices in Menlo Park, California, and represent Plaintiff Vein & Wellness Group, LLC in the underlying OMHA appeals.
3. Attached as **Exhibit A** is a true and correct copy of the final decision issued by ALJ Andrea Barraclough in the OMHA Appeal No. 3-5707304310 dated July 21, 2021.
4. Attached as **Exhibit B** is a true and correct copy of the final decision issued by ALJ Andrea Barraclough in the OMHA Appeal No. 3-5712725520 dated September 14, 2021.
5. Attached as **Exhibit C** is a true and correct copy of the is a true and correct copy of the final decision issued by ALJ Andrea Barraclough in the OMHA Appeal No. 3-5702338364 dated September 30, 2021.

I declare under the penalty of perjury under the laws of the United States of America that the foregoing is true and accurate, and that this Declaration was executed on June 27, 2022.

Dated: June 27, 2022

/s/James C. Pistorino

James C. Pistorino (CA Bar No. 226496)

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